

REMARKS

This present Response is being filed in reply to the Office Action dated March 15, 2007. Applicant requests a three (3) month extension of time to extend the period of response to and including September 15, 2007.

By the present amendment, claims 1, 4, 7, and 11 have been amended and claim 10 has been canceled without prejudice. Claims 1, 4, 5, 7, 9, 11, and 15-20 are pending in the application.

Claim 1 has been amended to recite that the outer sleeve is substantially cylindrical in shape. Support for this amendment can be found in Paragraph 41 and Figure 8 of the application.

Claims 4 and 11 have been amended to recite a substantially cylindrical outer sleeve disposed about the distal end portion of the body and movable between a first position and a second position in which the outer sleeve inhibits separation of the branches. Support for this amendment can be found in Paragraph 41 and Figures 1 and 4 of the application.

Claim 7 has been amended to recite the subject matter of canceled claim 10, which is indicated to be allowable by the Examiner.

Support for the claim amendments can be found throughout the specification and drawings, including the claims as originally filed. No new matter has been added. The amendment of the claims should in no way be construed to be an acquiescence to any of the rejections. The amendment of the claims is being made solely to expedite prosecution of the above-identified patent application. Applicants reserve the option to further prosecute the same or similar claims in the present or subsequent patent applications.

Allowable Subject Matter

Applicants wish to thank the Examiner for the careful review of the claims and the indication that claim 10 recites allowable subject matter.

Claim Objections

By the present amendment, claims 1 and 4 have been amended to correct the informalities noted in the Office Action.

Rejection of Claims 1, 2, 4, 5, 7, 11, and 15-20 under 35 U.S.C. § 102

The Office Action rejected claims 4, 11, and 15-20 under 35 U.S.C. § 102(b) as being anticipated by Becker (U.S. Patent No. 2,248,054). The Office Action rejected claims 7 and 9 under 35 U.S.C. § 102(b) as being anticipated by Bryant (U.S. Patent No. 5,649,931). The Office Action rejected claims 1 and 5 under 35 U.S.C. § 102(b) as being anticipated by Morrison (U.S. Patent No. 5,910,141). Applicant respectfully traverses the rejections for the reasons set forth below.

Claims 1 & 5

Claim 1 has been amended to recite that the outer sleeve is substantially cylindrical in shape. Morrison fails to disclose a substantially cylindrical outer sleeve. Instead, Morrison discloses a non-cylindrical lever arm 12.

For at least this reason, applicant requests the withdrawal of the rejection of independent claim 1, and claim 5 dependent thereon, under 35 U.S.C. § 102(b).

Claim 7

Independent claim 7 has been amended to recite the subject matter of canceled claim 10, which is indicated to be allowable by the Examiner, thereby placing claim 7, and claim 9 dependent thereon, in condition for allowance.

Claims 4, 11 & 15-20

Claims 4 and 11 have been amended to recite a substantially cylindrical outer sleeve disposed about the distal end portion of the body and movable between a first position and a second position in which the outer sleeve inhibits separation of the branches. Becker fails to disclose a substantially cylindrical outer sleeve disposed about the distal end portion of a body and movable between a first position and a second position in which the outer sleeve inhibits separation of the branches of the body.

For at least this reason, applicant requests the withdrawal of the rejection of independent claims 4 and 11, and claims 15-20 dependent on claim 11, under 35 U.S.C. § 102(b).

Conclusion

In view of the remarks set forth above, it is respectfully submitted that this application is in condition for allowance. Accordingly, allowance is requested. If there are any remaining issues or the Examiner believes that a telephone conversation with the Applicants' attorney would be helpful in expediting the prosecution of the application, the Examiner is invited to call the undersigned at (508) 880-8488.

Respectfully submitted,

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